

IN RE: PETITION FOR ADMINISTRATIVE
ZONING VARIANCE
SNC East Street and
Railroad Avenue
1800 East Street
13th Election District
1st Councilmanic District
Louis A. Slavotinek
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-219-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) to be located in the front/side yard, in lieu of the required rear yard, as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from his immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of February, 1993 that the Petition for a Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an accessory structure (detached garage) to be located in the front/side yard, in lieu of the required rear yard, in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 10, 1993

Mr. Louis A. Slavotinek
1800 East Street
Baltimore, (St. Denis), Md. 21227

RE: Petition for Administrative Variance
Case No. 93-219-A
1800 East Street

Dear Mr. Slavotinek:

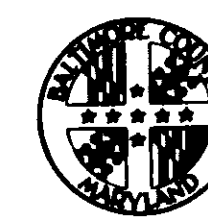
Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
encl.



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1800 East Street
which is presently zoned M.L.

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.1 To allow an accessory structure (detached garage) to be located in the front/side yard in lieu of the required rear yard.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1) Property has no back yard only side yard.
2) 10ft. Easement utility at southwesterly boundary prohibits building of any kind.
3) 10 ft. utility between residence and proposed 24' x 24' garage.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

Name: Louis A. Slavotinek

Signature: Louis A. Slavotinek

Address: _____

City: _____ State: _____ Zipcode: _____

Attorney for Petitioner: _____

Name: _____

Signature: _____

Address: 1800 East Street 242-7397

City: Saint Denis Md. 21227

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted: _____

City: _____ State: _____ Zipcode: _____

Address: _____

City: _____ State: _____ Zipcode: _____

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, the _____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, to be held at _____, on _____, at _____, in accordance with the provisions of the Zoning Regulations of Baltimore County, and that the property be reported.

Zoning Commissioner of Baltimore County

REVIEWED BY: LS DATE: 1-8-93

ESTIMATED POSTING DATE: 1-24-93

ITEM #: 232

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein gives is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/does presently reside at 1800 East Street

Saint Denis, Md. 21227

By _____

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (set forth in plain and concise language)

To allow permit to build 24' x 24' garage in

lieu of requirement(s) under 400.1 of building code.

1) Property has no back yard only side yard.

2) 10ft. Easement utility at southwesterly boundary

prohibits building of any kind.

3) 10ft. utility between residence and proposed

24' x 24' garage prevents building of

attached structure.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Signature: Louis A. Slavotinek

Name: Louis A. Slavotinek

Address: 1800 East Street

City: Saint Denis, Md.

State: Md.

Zipcode: 21227

I HEREBY CERTIFY, this 5th day of Jan, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Louis A. Slavotinek

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

1-5-93

My Commission Expires: 1-1-97

Zoning Description
1800 East St.

93-219-A

Beginning at a point on the southeast corner of East St. & Railroad Ave. Being lot nos 19, 20 in the subdivision of Town of St. Dennis as recorded in plat book 1 folio 9 containing 7260 sq. ft. Also known as 1800 East St. and located in the 13th Election District.

Certificate of Posting 93-219-A

13th dist

Posted for Variance
Petitioner: Louis A. Slavotinek
Location: 1800 East St.

Sign: Facing roadway on property of Affirm

Matthew J. Hansen

Sign-1

01/08/93
1/24/93

Baltimore County Government
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date: 1-8-93

Louis A. Slavotinek
1800 East St.
21227

Residential (Administrative) Variance filing fee - \$50.00

Sign + posting - 35.00

\$85.00

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date:

Account: R 001-6150

Number:

PUBLIC HEARING FEE
100.00
100.00
100.00
LAST NAME OF OWNER: SLAVOTINEK

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

January 25, 1993

(410) 887-3353

Mr. Louis A. Slavotinek
1800 East Street
Saint Denis, MD 21227

RE: Case No. 93-219-A, Item No. 232
Petitioner: Louis A. Slavotinek
Petition for Administrative Variance

Dear Mr. Slavotinek:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
8th day of January 1993.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Louis A. Slavotinek
Petitioner's Attorney:

DPW/Developers Engineering Division (Public Services) 01/27/93
Development Review Committee Response Form
Authorized signature *Arnold A. Jablon* Date *2/1/93*

Project Name	Waiver Number	Zoning Issue	Meeting Date
Zigmas J. And Ona E. Buzevicius	224		1-19-93
DED DEPRM RP STP TE			NC
Ronald D. And Norma J. Jewell	225		
DED DEPRM RP STP TE			NC
Steven P. and Deborah J. Benson	226		
DED DEPRM RP STP TE			NC
Deereco Limited Partnership	227		
DED DEPRM RP STP TE			NC
James R. and Cecile Myrick	228		
DED DEPRM RP STP TE			NC
Goucher Woods Development, Inc.	229		
DED DEPRM RP STP TE			NC
Connelly Funeral Home	230		
DED DEPRM RP STP TE			Comment
Orville M. Jones	231		
DED DEPRM RP STP TE			NC
Louis A. Slavotinek	232		
DED DEPRM RP STP TE			NC
Jack J. Basel	234		
DED DEPRM RP STP TE			NC
COUNT 10			
G & R No. 3, Inc.	233		1-25-93
DED DEPRM RP STP TE			
Congregation Darchei Tzedek, Inc.	235		
DED DEPRM RP STP TE			Comment

DPW/Strategic Planning (Design Review Section) 01/27/93
Development Review Committee Response Form
Authorized Signature _____ Date _____

Project Name	Waiver Number	Zoning Issue	Meeting Date
Connelly Funeral Home	230	Comment	1-19-93
DED DEPRM RP STP TE			
Orville M. Jones	231	NC	
DED DEPRM RP STP TE			
Louis A. Slavotinek	232	NC	
DED DEPRM RP STP TE			
Jack J. Basel	234	NC	
DED DEPRM RP STP TE			
COUNT 10			
G & R No. 3, Inc.	233	Comment	1-25-93
DED DEPRM RP STP TE			
Congregation Darchei Tzedek, Inc.	235		
DED DEPRM RP STP TE			
Francis M. and Phyllis K. Coppersmith	236	NC	
DED DEPRM RP STP TE			
John W. Armacost, Jr., Trustee	237	NC	
DED DEPRM RP STP TE			
Michael I. and Gail G. Brooks	238	NC	
DED DEPRM RP STP TE			
Steven E. Meconi	242	NC	
DED DEPRM RP STP TE			
Richard P. and Lenore E. Koors	243	NC	
DED DEPRM RP STP TE			
Charles H. and Beatrice G. Payne	245	Comment	
DED DEPRM RP STP TE			

93-219-A 2-8

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: January 22, 1993

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rabee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: January 19, 1993

ITEM NUMBER: 232

Access to the proposed garage must be clearly identified.

Rabee J. Famili
Rabee J. Famili
Traffic Engineer II

RJP/WKL/lvd

Department of Environmental Protection & Resource Management 01/27/93
Development Review Committee Response Form
Authorized signature *Arnold A. Jablon* Date *2-1-93*

Project Name	Waiver Number	Zoning Issue	Meeting Date
Louis A. Slavotinek	232		1-19-93
DED DEPRM RP STP TE			NO COMMENTS
Jack J. Basel	234		
DED DEPRM RP STP TE			NO COMMENTS
COUNT 10			
G & R No. 3, Inc.	233		1-25-93
DED DEPRM RP STP TE			In process
Congregation Darchei Tzedek, Inc.	235		
DED DEPRM RP STP TE			In process
Francis M. and Phyllis K. Coppersmith	236		
DED DEPRM RP STP TE			In process
John W. Armacost, Jr., Trustee	237		
DED DEPRM RP STP TE			In process
Michael I. and Gail G. Brooks	238		
DED DEPRM RP STP TE			In process
Steven E. Meconi	242		
DED DEPRM RP STP TE			In process
Richard P. and Lenore E. Koors	243		
DED DEPRM RP STP TE			In process
Charles H. and Beatrice G. Payne	245		
DED DEPRM RP STP TE			In process
Carl I. and Edward V. Julio	246		
DED DEPRM RP STP TE			In process

244 - IN PROCESS
251

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

JANUARY 13, 1993 (410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: LOUIS A. SLAVOTINEK
Location: #1800 EAST STREET
Item No.: *232 (JJS) Zoning Agenda: JANUARY 19, 1993

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Carl J. P. Jr.* Noted and Approved *cb*
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/REK

1/14/93

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

JANUARY 13, 1993 (410) 887-3353

LOUIS A. SLAVOTINEK
1800 East Street
Saint Denis, Maryland 21227

Re: CASE NUMBER: 93-219-A
LOCATION: 500 East Street and Railroad Avenue
1800 East Street
13th Election District - 1st Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before January 24, 1993. The closing date (February 8, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioners), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

15/
Arnold Jablon
Director

Louis A. Slavotinek
1800 East Street
Saint Denis, Maryland 21227
February 14, 1993

Mr. Larry Schmidt, Zoning Commissioner
Suite 1113 Old Court Building
400 Washington Avenue
Towson, Md. 21204

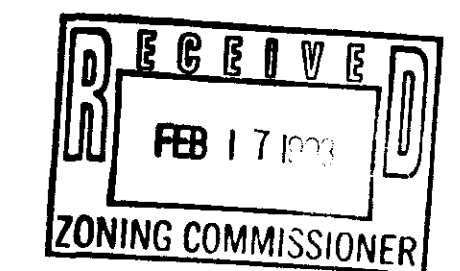
Dear Mr. Schmidt,

As per our conversation on Fri. Feb. 12, 1993 I am sending a revised drawing of the plat showing the entrance drive for the proposed detached garage. The entrance drive will meet with East Street at the southeastern part of the property.

If you or anyone else have any questions concerning this matter please feel free to contact me. Thank you.

Sincerely,
Louis A. Slavotinek
Louis A. Slavotinek

RE: Case # 93-219-A



*I showed
council
drawing to
Hickman & he
said ok.*

